

USSN: 09/838,884Attorney Docket No.: 117-P-1345USI1**Remarks**

The written description has been editorially amended. Following entry of this amendment, claims 1-35 will be pending, with claims 1-27 having been withdrawn from consideration.

**Rejection of Claims 33-35 under 35 USC §102**

Claims 33-35 were rejected under 35 USC §102(b) as being anticipated by Published PCT Application No. WO 94/22965 (Koreltz et al.). Applicants respectfully disagree. Claims 33-35 recite a step of applying a strip agent to a dried waterborne "radiation cured" overcoat adhered to a dried intermediate layer atop a substrate, and a step of "removing ... the overcoat without removing substantial portions of the underlying substrate". Koreltz et al. describe compositions for stripping "standard floor finishes and/or greasy residues from hard surfaces such as floors" (see, e.g., page 1, lines 5-8 and page 3, line 35 through page 4, line 2, emphasis added), but do not show removing a radiation cured overcoat. Radiation cured (e.g., UV cured) coatings are not "standard" finishes, and are very difficult to strip. As stated in applicants' written description:

"UV cured floor finishes generally are not regarded as being removable using conventional chemical floor stripping agents. Instead, more aggressive removal techniques such as floor sanding or aggressive burnishing may be employed, thereby leading to removal of a portion of the underlying floor surface." (page 1, lines 18-21) See also Published PCT Application No. WO 98/11168 (Hamrock et al.), relied on elsewhere in the Office Action, which says that "UV curable finishes ... generally cannot be easily stripped" from vinyl flooring "using conventional stripping methods" (page 2, line 29 through page 3, line 3).

Koreltz et al.'s working examples show that CITATION™ finish from Buckeye International, Inc. can be removed using Koreltz et al.'s strippers (see, e.g., page 12, lines 12-18). However, CITATION finish is relatively easy to strip, and can be used as an intermediate layer in applicants' invention (see, e.g., page 5, line 26). CITATION finish does not contain a

USSN: 09/838,884

Attorney Docket No.: 117-P-1345US11

photoinitiator and is not radiation cured (see e.g., the Material Safety Data Sheet at <http://www.buckeyeinternational.com/support/msds/CanEng/Citation5115.pdf>, copy enclosed). Koreltz et al. do not show removal of a radiation cured overcoat. Applicants accordingly request withdrawal of the rejection of claims 33-35 under 35 USC §102(b).

### **Rejection of claims 28-32 under 35 USC §102**

Claims 28-32 were rejected under 35 USC §102(b) as being anticipated by Hamrock et al. Applicants respectfully disagree. Claims 28-32 recite an intermediate coating and a waterborne overcoat, and a step of applying the overcoat to the intermediate coating "wherein the dried overcoat adheres to the intermediate coating and is less strippable and more wear resistant than the intermediate coating" (emphasis added). Hamrock et al. describe 100% solids radiation curable coatings based on specially formulated monomers, and apply them over latex intermediate coats. Hamrock et al. do not apply waterborne overcoats.

Hamrock et al. in fact teach away from waterborne overcoats. Hamrock et al. say that "Commercially available floor finish compositions typically are aqueous emulsion based polymer compositions" that "typically comprise a relatively low solids content (e.g., about 15-35%)" (see page 1, lines 10-14). Hamrock et al. then say that the need to dry such finishes "before additional coatings are applied and/or before pedestrian traffic is allowed across the treated floor" represents one reason why "the available finishes have been less than completely satisfactory" (see page 1, lines 18-27).

Applicants accordingly request withdrawal of the rejection of claims 28-32 under 35 USC §102(b).

### **Conclusion**


Koreltz et al. do not show removal of a radiation cured overcoat. Hamrock et al. do not apply waterborne overcoats. Withdrawal of the rejections and passage of the application to the issue branch is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if there any questions regarding this application or any suggested further amendments.

USSN: 09/838,884

Attorney Docket No.: 117-P-1345US11

January 12, 2004

Respectfully submitted on behalf of  
Ecolab Inc.



IPLM Group, P.A.  
P.O. Box 18455  
Minneapolis, MN 55418

David R. Cleveland  
Registration No: 29,524  
612-331-7412 (telephone)  
612-331-7401 (facsimile)

Enc: Material Safety Data Sheet for CITATION water based floor finish, from  
<http://www.buckeyeinternational.com/support/msds/CanEng/Citation5115.pdf>